

CALIFORNIA LEGISLATURE  
2017–18 REGULAR SESSION

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# SENATE DAILY JOURNAL

SEVENTEENTH LEGISLATIVE DAY

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## IN SENATE

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Senate Chamber, Sacramento  
Tuesday, January 31, 2017

The Senate met at 9 a.m.

Hon. Jerry Hill, of the 13th District, presiding.

Secretary Daniel Alvarez at the Desk.

Assistant Secretary Zachary L. Twilla reading.

### ROLL CALL

The roll was called and the following Senators answered to their names:

Allen, Anderson, Bates, Beall, Berryhill, Bradford, Cannella, De León, Dodd, Fuller, Gaines, Galgiani, Glazer, Hernandez, Hertzberg, Hill, Hueso, Jackson, Lara, Leyva, McGuire, Mendoza, Mitchell, Monning, Moorlach, Morrell, Newman, Nguyen, Nielsen, Pan, Portantino, Roth, Skinner, Stern, Stone, Vidak, Wieckowski, and Wiener—38.

Quorum present.

*(NOTE: Senator Atkins will be excused this day due to illness. Senator Wilk will be excused this day on legislative business.)*



**MESSAGES FROM THE ASSEMBLY**

Assembly Chamber, January 30, 2017

Mr. President: I am directed to inform your honorable body that the Assembly on this day adopted:

ACR 4

ACR 10

ACR 11

E. DOTSON WILSON, Chief Clerk of the Assembly

**FIRST READING OF ASSEMBLY MEASURES**

The following measures were read and referred to the Committee on Rules:

**Assembly Concurrent Resolution 4**—Relative to the Lunar New Year Celebration.

**Assembly Concurrent Resolution 10**—Relative to Fred Korematsu Day of Civil Liberties and the Constitution.

**Assembly Concurrent Resolution 11**—Relative to Cervical Cancer Screening and Awareness Month.

**REPORTS OF STANDING COMMITTEES****Committee on Rules**

Senate Chamber, January 31, 2017

Mr. President: The Committee on Rules has examined:

SB 28

SB 47

SB 48

And reports the same correctly engrossed.

DE LEÓN, Chair

**Committee on Health**

Senate Chamber, January 31, 2017

Mr. President: The Chair of the Committee on Health, to which was referred:

SB 43

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

HERNANDEZ, Chair

**Second Reading of Bills—Author's Amendments**

**Senate Bill 43**—An act to amend Sections 102825 and 102875 of, and to add Part 5.5 (commencing with Section 121565) to Division 105 of, the Health and Safety Code, relating to public health.

Bill read second time.

The amendments were read and adopted and the measure ordered printed, engrossed, and re-referred to the committee.



**MESSAGES FROM THE GOVERNOR**

Governor's Office, State Capitol  
January 31, 2017

*To the Senate of the State of California:*

I hereby respectfully withdraw from consideration, effective close of business January 31, 2017, the nomination of the following appointee heretofore submitted and now before your honorable body for confirmation:

Guillermo Viera Rosa	Director, Division of Adult Parole Operations, California Department of Corrections and Rehabilitation
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Sincerely,

EDMUND G. BROWN JR., Governor

Above withdrawal transmitted to the Committee on Rules.

Governor's Office, State Capitol  
January 31, 2017

*To the Senate of the State of California:*

I have the honor to transmit to you herewith the following appointments and reappointments heretofore made by me to offices which by law are to be filled by the Governor. These appointments and reappointments are subject to Senate confirmation and consent. I hereby nominate these appointees and reappointees to you and request your confirmation and consent.

Sincerely,

EDMUND G. BROWN JR., Governor

PAULA D. LABRIE, has been appointed to the California Gambling Control Commission. LaBrie has been chief deputy director at the California State Lottery since 2015, where she was acting director from 2013 to 2015 and chief deputy director from 2012 to 2013. She was legislative counsel at the American Automobile Association Club of Northern California, Nevada and Utah from 1997 to 2011. LaBrie was an attorney at MacMorris and Carbone from 1993 to 1997 and at Carroll, Burdick and McDonough from 1990 to 1993. She was an account administrator at IBM from 1983 to 1987. LaBrie earned a Juris Doctor degree from the University of California, Hastings College of the Law and a Master of Laws degree from the University of the Pacific, McGeorge School of Law. Appointed 01/09/2017. Effective 01/23/2017.

Member, California Gambling Control Commission, vice, Tiffany Conklin, term expired. Term ending 12/31/2020.



ASHUTOSH A. BHAGWAT, has been reappointed to the California Independent System Operator Board of Governors, where he has served since 2011. Bhagwat has been a professor of law at the University of California, Davis School of Law since 2011. He was a professor of law at the University of California, Hastings College of the Law from 1994 to 2011, and an associate at Sidley and Austin from 1992 to 1994. Bhagwat was a law clerk for the Honorable Anthony M. Kennedy at the U.S. Supreme Court from 1991 to 1992, and for the Honorable Richard A. Posner at the U.S. Court of Appeals, Seventh Circuit from 1990 to 1991. He was a research assistant at the Federal Reserve System Board of Governors from 1986 to 1987. Bhagwat earned a Juris Doctor degree from the University of Chicago Law School. Reappointed 01/17/2017. Effective 01/20/2017.

Member, California Independent System Operator Board of Governors, vice, self, reappointed. Term ending 12/31/2019.

ANGELINA M. GALITEVA, has been reappointed to the California Independent System Operator Board of Governors, where she has served since 2011. Galiteva has been principal at New Energy Options Inc. since 2003. She was executive director of strategic planning at the Los Angeles Department of Water and Power from 1997 to 2003, and a member of the California Independent System Operator and California Power Exchange, Office of the Trustee from 1996 to 1997. Galiteva was a power analyst at the New York Power Authority from 1994 to 1996. She is founder and board president of the Renewables 100 Policy Institute. Galiteva earned Master of Laws and Juris Doctor degrees from the Pace University School of Law. Reappointed 01/17/2017. Effective 01/19/2017.

Member, California Independent System Operator Board of Governors, vice, self, reappointed. Term ending 12/31/2019.

MICHAEL RUFF, has been appointed to the Board of Parole Hearings. Ruff has been a retired annuitant special agent reviewing high-security inmate conduct on the Special Projects Team at the California Department of Corrections and Rehabilitation since 2013. He was a special agent in charge at the California Department of Corrections and Rehabilitation Office of Correctional Safety from 2007 to 2013, where he was senior special agent from 2003 to 2007, acting as a gang interdiction specialist and liaison with federal, state, and local law enforcement. Ruff was a captain at the Deuel Vocational Institute from 2001 to 2003, where he was a lieutenant from 1998 to 2001. He was a sergeant at San Quentin State Prison from 1994 to 1998, where he was a correctional officer from 1986 to 1994, and served as a senior airman in the U.S. Air Force from 1982 to 1985. Appointed 01/17/2017. Effective 01/23/2017.

Commissioner, Board of Parole Hearings, vice, Ali Zarrinnam, withdrawn by the Governor, 01/09/2017. Term ending 07/01/2019.



KIRSTEN A. BARNES, has been reappointed to the California Commission on Teacher Credentialing, where she has served since 2013. Barnes has been lead counselor at the Hanford Joint Union High School District since 2016, where she has served in several positions since 1993, including school counselor, independent study teacher, and continuation high school teacher. She has served as a teacher at the Crossroads Charter Academy in the Armona School District since 2008, where she was a school counselor from 2008 to 2015. Barnes is a member of the California Teachers Association, American School Counselor Association, and the California Association of School Counselors. She earned a Master of Education degree in school counseling from Fresno Pacific University. Reappointed 01/10/2017. Effective 01/23/2017.

Member, California Commission on Teacher Credentialing, vice, self, reappointed. Term ending 11/20/2020.

Above appointments and reappointments referred to the Committee on Rules.

## **REPORTS OF STANDING COMMITTEES**

### **Committee on Public Safety**

Date of Hearing, January 31, 2017

Mr. President: The Committee on Public Safety, to which was referred:  
SB 54

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Appropriations.

SKINNER, Chair

Above bill re-referred to the Committee on Appropriations.

### **Committee on Judiciary**

Date of Hearing, January 31, 2017

Mr. President: The Committee on Judiciary, to which was referred:  
SB 6

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Human Services.

JACKSON, Chair

Above bill re-referred to the Committee on Human Services.

Date of Hearing, January 31, 2017

Mr. President: The Committee on Judiciary, to which was referred:  
SB 31

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Appropriations.

JACKSON, Chair

Above bill re-referred to the Committee on Appropriations.



**MOTIONS, RESOLUTIONS AND NOTICES****MEASURES WITHDRAWN AND RE-REFERRED TO COMMITTEE**

Without objection, the following measure was withdrawn from the Committee on Budget and Fiscal Review and re-referred to the Committee on Rules:

SB 48

**INTRODUCTION AND FIRST READING OF SENATE MEASURES**

The following measures were introduced, read the first time, and transmitted to the Committee on Rules for assignment:

**Senate Bill 200:** By Senator Morrell—An act to amend Section 7522.32 of the Government Code, relating to public employees' retirement.

**Senate Bill 201:** By Senator Skinner (Coauthors: Senators Atkins and Pan)—An act to amend Section 3562 of the Government Code, relating to higher education employees.

**Senate Bill 202:** By Senator Dodd—An act to amend Section 14005.12 of the Welfare and Institutions Code, relating to Medi-Cal.

**Senate Bill 203:** By Senator Jackson—An act to add Section 51206.5 to the Education Code, relating to pupil instruction.

**Senate Bill 204:** By Senator Dodd—An act to add Part 6 (commencing with Section 6450) to Division 10 of the Family Code, relating to domestic violence.

**SENATE COMMITTEE ROLL CALLS****Committee on Judiciary**

**SB 6**—Do pass and re-refer to the Committee on Human Services

AYES (5)—Senators Hertzberg, Jackson, Monning, Stern, and Wieckowski.

NOES (2)—Senators Anderson and Moirlach.

**SB 31**—Do pass and re-refer to the Committee on Appropriations

AYES (6)—Senators Anderson, Hertzberg, Jackson, Monning, Stern, and Wieckowski.

NOES (0)—None.

Date of Hearing: 1/31/2017

Jackson, Chair

**Committee on Public Safety**

**SB 54**—Do pass and re-refer to the Committee on Appropriations

AYES (5)—Senators Bradford, Jackson, Mitchell, Skinner, and Wiener.

NOES (2)—Senators Anderson and Stone.

Date of Hearing: 1/31/2017

Skinner, Chair



**LEAVES OF ABSENCE**

The following Senator was granted leave of absence for the day due to illness: Senator Atkins.

The following Senator was granted leave of absence for the day on legislative business: Senator Wilk.

**REQUEST TO ADJOURN IN MEMORIAM**

Senator Roth requested that when the Senate adjourns this day it do so in memory of Paul Napier of Jurupa Valley.

**ADJOURNMENT**

At 3:30 p.m., the Senate adjourned pursuant to the Senator's request until 9 a.m., Wednesday, February 1, 2017.

NEVA MARIE PARKER, Minute Clerk

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